

Agenda Item 08
Report PC20/21-16

Report to	Planning Committee
Date	08 October 2020
By	Director of Planning
Local Authority	Chichester District Council
Application Number	SDNP/20/01855/FUL
Applicant	Martin Wilson And Stephanie Mantell
Application	Former paddock site to be developed with 17 new build houses (mix of 1, 2 and 3 beds) with associated parking and amenity space.
Address	Land South of Heather Close, West Ashling, West Sussex.

Recommendation: That planning permission be granted subject to:

- 1. The completion of a Section 106 legal agreement, the final form of which is delegated to the Director of Planning, to secure the delivery of the following:**
 - a) 9 affordable dwellings, 7 of which of rented tenure and 2 of shared ownership;**
 - b) A financial contribution of £9,205 towards recreational disturbance mitigation on the Solent Maritime SAC and Chichester and Langstone Harbour SPA;**
 - c) A full scheme of nutrient mitigation for the lifetime of the development (including maintenance and management) towards mitigation of additional nutrient load on the Solent European nature conservation designated sites.**
 - 2. The conditions as set out in paragraph 10.2 of this report.**
 - 3. That authority be delegated to the Director of Planning to refuse the application with appropriate reasons if:**
 - a) The S106 Agreement is not completed or sufficient progress has not been made within 6 months of the 8th October 2020 Planning Committee meeting.**
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Executive Summary

The application site is located within the settlement policy boundary of West Ashling and it is allocated in the Local Plan for residential development between 15 and 17 dwellings. The principle of development is acceptable; however, the site is also in a sensitive edge-of-settlement location.

Following extensive pre-application advice with officers, the scheme has positively evolved to successfully address landscape sensitivities, resulting in layout and buildings that are attractive, of high quality design that respond to local context and are of high sustainability standards. It will also provide affordable housing as required in the Local Plan and suitable mitigation to impacts on nature conservation designated sites.

The applicant has sought to address the concerns raised by officers at pre-application stage, and officers have no objection to the final proposal. Having assessed the scheme on its own merits, officers consider that, the proposal is acceptable from design, landscape, ecology and housing perspectives and permission is therefore recommended.

This major application is placed before the Committee due to the significance of the development proposal in the delivery of the housing strategy of the South Downs Local Plan.

1. Site Description

- 1.1 The application site comprises the land immediately south of the 1960s terraced houses built at Heather Close and to the west of the 2000s housing development at Portal Close. The site is of a rectangular shape, with mature trees along the western and northern boundaries and features some low scrub vegetation and grass across the site. The land has been historically used for grazing. Access is gained via Portal Close, which is privately owned and connects to Southbrook Road.
- 1.2 Whilst within an undeveloped area, the site falls within the Settlement Policy Boundary and it is allocated for housing development as shown on the Policies Map of the Local Plan. The allocation site is not a prominent location in terms of public views as it is not visible from the highway or nearby public rights of way. The landscape is relatively open to the south and west of the site, with some woodland in the distance. Although not prominent to views, the site is in a sensitive edge of village location.
- 1.3 Immediately to the north-east corner of the site, there is an open hard standing used for vehicle parking for residents of Heather Close. The Funtington Village Hall is also located approximately 70 metres to the north-east of the site. Fields around the site, to the west and south are arable. There is a small copse 40 metres to the south of the site.
- 1.4 The site falls within landscape character area Q1: South Downs Upper Coastal Plain, as classified in the South Downs Integrated Landscape Character Assessment 2011 (ILCA). This area of low lying undulating landscape is characterised by a mix of arable and pasture fields of recent enclosure and rectilinear forms. The area also features a strong network of hedgerows and oaks and woodlands that form links with the wooded downs to the north.
- 1.5 West Ashling is a nucleated historic village with two main extensions in the 19th and 20th centuries along Southbrook Road and Down Street. The predominant building materials are flint and brick with some scattered use of slate and thatched roofs. Most houses along Southbrook Road are two-storey high and feature single storey outbuildings recessed from the front elevation, framing boundaries and private spaces.
- 1.6 This area is located within a minerals safeguarding area for unconsolidated gravel, within the Intrinsic Rural Darkness (Zone E1a) as well as the habitat 12km buffer of the Singleton and Cocking Tunnels SAC and 5.6km buffer of the Solent Coast SPA. The Chichester & Langstone Harbours Ramsar and SPA, the Solent Maritime SAC and the Kingley Vale SAC are located within 5km of the site.
- 1.7 This area of West Ashling scores as having a low tranquillity value in the Tranquillity Study 2017. The site is also approximately 60 metres away from the West Ashling Conservation Area. No historic environment constraints are identified besides being within the distant setting of the conservation area.

2. Relevant Planning History

- 2.1 The most recent planning history relating to land south of Heather Close consists of the following two pre-application enquiries:
SDNP/16/01139/PRE Proposed erection of 10 no. 4 and 5 bedroom dwellings with garages, including new access road, footpaths and associated landscaping.
- 2.2 The SDNPA advised that the site, at the time of the pre-application enquiry, was located in the countryside, outside of the settlement boundary and not within any allocation for housing, although it identified its potential for allocation. Therefore, the principle of development was resisted. Officers also raised fundamental concerns with the housing mix, suburban layout and the uninspiring architectural style of homes, amongst others.

SDNP/19/00225/PRE Former paddock site to be development with 17 new build houses (mix of 1, 2 and 3 beds) with associated parking and amenity space.

- 2.3 Following extensive discussions and negotiations, including specialists and Design Review Panel (DRP) guidance, officers advised that the latest proposal iteration had identified the basic landscape evidence of the site and had positively influenced the design, with some exceptions that required further amendments.
- 2.4 Officers considered that the revised scheme positively responded to the comments made by the DRP and officers and therefore it should be used as starting point to develop a final scheme.
- 2.5 In the advice given, the SDNPA required the applicant to explain the rationale of the design and how the proposed development is informed by landscape evidence in any future application. The design narrative should be part of the Design and Access Statement. Officers would also expect from any scheme to demonstrate that it has an overall positive impact on ecosystem services, to mitigate and enhance biodiversity (incorporating opportunities for biodiversity net gain), to achieve minimum standards of sustainable use of resources and climate change and affordable homes requirements.
- 2.6 Officers recommended to submit a planning application once all the issues raised had been successfully addressed.

3. Proposal

- 3.1 The proposal consists of the erection of 17 new dwellings with associated vehicle parking and landscaping. The proposal entails:
- 9 of the 17 units to be affordable – 7 of which of affordable rented tenure and 2 of shared ownership. The remaining 7 units would be open market units.
 - Open spaces include a shared space across the site for vehicles and pedestrians, private gardens for all dwellings (except flats) and a green open space.
 - A total of 36 vehicle parking spaces for residents and visitors and 22 cycle spaces.
 - Retention of the existing access via Portal Close and provision of pedestrian connectivity to Heather Close.
 - 2 dwellings full Passive House certified.
 - Nutrient neutrality and recreational disturbance mitigation for internationally protected areas.

4. Consultations

4.1 Funtington Parish Council: Comments:

- No objection to the principle of development, but Funtington Parish Council (FPC) would prefer a development that is more in-keeping with the style of housing of the village.
- FPC would welcome more 3-bedroom dwellings. The predominance of social housing of 1 and 2 bedrooms will result in transient homes rather than long term housing ensuring sustainable family units. FPC feels that there is no demand for 1 bed units.
- Layout and building designs are incongruous. Buildings are too angular, with step backs and alleys – not in-keeping with the existing pattern. Houses are very crowded. The development does not integrate naturally into the setting of the village.
- Materials are out of character with the local area.

4.2 Design Officer: No objection.

- The submission makes a good understanding of the site and the surrounding area. The scheme has taken visual cues from the historic settlement edge of West Ashling, which has informed the layout, type and scale of buildings.
- The relationship between buildings and spaces create a coherent identity for the site that will be visually attractive and creates a sense of place.

- The layout provides an adequate transition in form and fabric from the housing to the north and east to the open countryside, provides pedestrian links and an attractive open space with tree planting.
- The highway design refers to the 'Roads in the South Downs', it is functional, safe and accessible for all. Movement and external spaces, including parking, are well-considered, convenient and will function well.
- The architectural style is contemporary in appearance with a locally referenced palette of materials, contributing to local character. Style and materials are appropriate.
- Homes will provide good quality adaptable internal spaces and external spaces that are easy to look after.
- Overall, the scheme is in compliance with the SDLP and the National Design Guide.
- Suggested conditions: architectural details (eaves, windows, cills, etc.), samples of materials, means of enclosure, surface materials and sustainable construction report.

4.3 Landscape Officer: No objection (received before last iteration of revised plans, which address most of the comments below):

- The number of iterations reflect the difficulty of developing edge of settlement sites like this. It requires the scheme to knit in to the existing settlement whilst characteristically addressing the open countryside. The most recent layout does both relatively successfully. It has been led by the sites immediate landscape context.
- The most recent changes sought to address the allocation policy requirement for SuDS [Sustainable Drainage Systems]. Surface water will now be managed by a combination of pipes to soakaways below ground and pipes to the swale within the open space. So whilst it is an improvement from piping water to a soakaway as originally proposed, as (if well-designed) it provides additional benefits for wildlife and amenity for residents, considering drainage from the beginning may have produced a different outcome. The green roofs will help to manage water sustainably, but rain gardens, rainwater harvesting, and more at surface SuDS features could also have been included.
- Improvements suggested: a) The shared area should be of a single surface material – no pavement; b) Tree pit design and tree species need to be considered to take surface water within parting courts; c) Close-boarded fencing is not supported facing public realm, including parking courts.
- Recommended conditions: a) Biodiversity net gain; b) Planting and maintenance plan; c) Hard landscaping (including tree pit design); d) Management plan for open spaces and trees/hedges; e) Boundary treatments; and f) Swale sections.

4.4 SDNPA Design Review Panel: Comments received before last iteration of revised plans:

- Road entrance to site – Revise the access road design. It should form part of the public realm; a space shared by cars, people, and everything else; becoming a less car dominated space. The design should be able to overcome this as the road will not be adopted and therefore does not need to follow a Highway Authority standard.
- Route to the west (access to adjacent field) – The landscape design should be substantial enough so that access is unachievable – this could be achieved through a review of private land ownership options.
- Ecosystem Services – Water management: Asked to review the design and investigate options such as swales or rain gardens; DRP advised to investigate the dual purpose of the systems to achieve bio-diversity net-gains.
- Access route around the site – There are issues with security, but a path that stops as a dead-end in the north-west corner of the site seems to be a bit awkward – DRP advised to review movement and access in this area, and revise the layout design accordingly.
- Boundaries, Landscape & Hedgerows – DRP suggested the site should be kept as open as possible and appear less suburban. In relation to the landscape and hedgerows and how boundary treatments are dealt with, DRP advised that should be consistent, with post and wire fencing to keep the views open becoming hedgerows in time.

- Existing architecture in the village - There is logic for not following the architectural variety in the village. But some variety in the materials used, on outbuildings and boundary walls, might contribute to the overall appearance in the public realm.
- 4.5 **Tree Officer:** No objection subject to condition.
- 4.6 **Ecology:** No objection subject to conditions.
- Whilst the proposed measures in the form of tree planting, green roofs, wildflower grasslands, native hedgerows, etc. are beneficial, there is an overall net loss in biodiversity due to the removal of areas of semi-improved grassland. However, as there is an overall net gain in the hedgerow units, no concerns are raised.
- 4.7 **Natural England:** No objection subject to securing mitigation to offset nutrients.
- 4.8 **Sussex Wildlife Trust:** Comment:
- The trust supports Natural England's conclusions and agree that there is need for an appropriate assessment on nutrient neutrality.
 - SWT is not able to offer any programme of mitigation to ensure nutrient neutrality.
- 4.9 **Highways:** No objection subject to conditions.
- 4.10 **Drainage:** No objection subject to conditions.
- 4.11 **Lead Local Flood Authority:** No objection.
- 4.12 **Waste Team:** Comments received before last iteration of revised plans:
- Would the collection points of plots no. 11-15 be suitable for a heavy refuse freighter?
 - Recommend a specific bin collection serving plots no. 8-10.
- 4.13 **Fire and Rescue Service:** No objection subject to condition.
- 4.14 **Southern Water:** No objection.
- 4.15 **Portsmouth Water:** No objection.
- 4.16 **Chichester District Council:** No objection.
- 4.17 **Housing Officer:** No objection.
- The proposed distribution of affordable units throughout the site is acceptable and will help to promote a mixed, balanced and sustainable community.
- 4.18 **Archaeology:** No objection subject to condition.

5. **Representations**

4 letters of objection

- West Ashling is a small village, not well served with amenities and public transport.
- Lack of information in the Transport and Travel Plan with regards to the proximity of the site to cycle routes and convenience or not to cycle to Chichester, Emsworth or the Downs. No cycle routes are indicated neither the safety aspect of routes in the area. A suitable assessment should be made on whether cycling is a suitable option for such development. Cycling to Chichester is not a favourable option for a daily commute.
- Concerns with any proposal for the demolition and replacement of the village hall with housing.
- Concern with impact on wildlife: meadow butterflies and bats. Introduction of street lighting would impact local wildlife.
- There is a significant safety issue on the Southbrook Road and Portal Close junction, which would worsen with the additional traffic from the proposed development, with potential impact to horse riders and children's safety. Traffic calming measures should be introduced.

6. Planning Policy Context

- 6.1 Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The relevant statutory Development Plan comprises of the **South Downs Local Plan 2014-2033**. The relevant policies are set out in section 7 below.

National Park Purposes

- 6.2 The two statutory purposes of the SDNP designation are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage of their areas;
- To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.

If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social well-being of the local community in pursuit of these purposes.

National Planning Policy Framework and Circular 2010

- 6.3 Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) which was issued and came into effect in February 2019. The Circular and NPPF confirm that National Parks have the highest status of protection and the NPPF states at paragraph 172 that great weight should be given to conserving landscape and scenic beauty in the national parks and that the conservation of wildlife and cultural heritage are important considerations and should also be given great weight in National Parks.

National Planning Policy Framework (NPPF) 2019

- 6.4 The National Planning Policy Framework has been considered as a whole. The following NPPF sections have been considered in the assessment of this application:

- Achieving sustainable development
- Delivering a sufficient supply of homes
- Building a strong, competitive economy
- Promoting healthy and safe communities
- Promoting sustainable transport
- Making effective use of land
- Achieving well-designed places
- Meeting the challenge of climate change, flooding and coastal change
- Conserving and enhancing the natural environment
- Conserving and enhancing the historic environment
- Facilitating the sustainable use of minerals

Relationship of the Development Plan to the NPPF and Circular 2010

- 6.5 The development plan policies listed below have been assessed for their compliance with the NPPF and are considered to be compliant with it.

Planning (Listed Buildings and Conservation Areas) Act 1990

- 6.6 The Planning (Listed Buildings and Conservation Areas) Act 1990 places a series of duties on planning authorities when determining applications for planning permission that may affect listed buildings, conservation areas or their setting, significance, character or appearance.

- 6.7 Section 72 (1) states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.

West Sussex Joint Minerals Local Plan (2018)

- 6.8 Policy M9: Safeguarding Minerals.

The South Downs National Park Partnership Management Plan 2020-2025

- 6.9 The Environment Act 1995 requires National Parks to produce a Management Plan setting out strategic management objectives to deliver the National Park Purposes and Duty. National Planning Policy Guidance (NPPG) states that Management Plans “contribute to setting the strategic context for development” and “are material considerations in making decisions on individual planning applications.” The South Downs Partnership Management Plan as amended for 2020-2025 on 19 December 2019, sets out a Vision, Outcomes, Policies and a Delivery Framework for the National Park over the next five years. The relevant outcomes include:

- Outcome 1: Landscape and Natural Beauty
- Outcome 2: Increasing Resilience
- Outcome 3: Habitats and Species
- Outcome 5: Outstanding Experiences
- Outcome 6: Lifelong Learning
- Outcome 7: Health and Wellbeing
- Outcome 9: Great Places to Live

Other relevant documents

- South Downs Integrated Landscape Character Assessment (2011)
- National Design Guide (2019).
- Affordable Housing SPD (2020)
- Sustainable Construction SPD (2020)

7. Planning Policy

- 7.1 The following policies of the South Downs Local Plan 2014-2033 are relevant:

- SD1 – Sustainable Development
- SD2 – Ecosystems Services
- SD4 – Landscape Character
- SD5 – Design
- SD6 – Safeguarding Views
- SD7 – Relative Tranquillity
- SD8 – Dark Night Skies
- SD9 – Biodiversity and Geodiversity
- SD10 – International Sites
- SD11 – Trees, Woodland and Hedgerows
- SD15 – Conservation Areas
- SD16 – Archaeology
- SD17 – Protection of the Water Environment
- SD19 – Transport and Accessibility
- SD20 – Walking, Cycling and Equestrian Routes
- SD21 – Public Realm, Highway Design and Public Art
- SD22 – Parking Provision
- SD25 – Development Strategy
- SD26 – Supply of Homes
- SD27 – Mix of Homes
- SD28 – Affordable Homes
- SD45 – Green Infrastructure

- SD48 – Climate Change and Sustainable Use of Resources
- SD49 – Flood Risk Management
- SD50 – Sustainable Drainage Systems
- SD54 – Pollution and Air Quality
- SD91 – Land South of Heather Close

8. Assessment

Background

- 8.1 This application has benefited from extensive pre-application advice and negotiations through the life of this planning application. The SDNPA and applicant have worked proactively to achieve a good development proposal that meets the requirements of the Local Plan and address comments made by consultees and other third parties.
- 8.2 Pre-application advice was given in 2019, in which officers and the applicant agreed a preferred layout as it would positively respond to the edge of settlement pattern and the allocation policy requirements, subject to some variations and further details.
- 8.3 During this application, further negotiations took place to incorporate sufficient vehicle parking on site, a suitable sustainable drainage system, sympathetic materials and boundary treatments, an adequate housing mix and other matters such ecological enhancements, nutrient neutrality mitigation and sustainable construction details. The result of these negotiations is a detailed and complete residential scheme that is fully assessed below.
- 8.4 Although this is major development for the purposes of the Development Management Procedure Order (more than 10 dwellings), the proposal does not constitute major development for the purposes of the NPPF and policy SD3 of the Local Plan.

Principle of development

- 8.5 Policy SD25 of the SDLP sets out the development strategy of the National Park, and it states that the principle of development within a series of settlements will be supported, provided that the development is of a scale and nature appropriate to the character and function of the settlement and landscape, it makes best use and an efficient and appropriate use of suitable land.
- 8.6 The application site is located within the Settlement Policy Boundary of West Ashling, which is listed as one of the settlements where the principle of development is supported. Furthermore, the site is also allocated in the SDLP for housing by Allocation Policy SD91.
- 8.7 Policy SD91 of the SDLP states that the land south of Heather Close is allocated for the development of between 15 and 17 residential dwellings (Class C3 Use) and it sets out a series of requirements for developing this site:
- a) Provide suitable mitigation towards the Solent SPA;
 - b) Provide a suitable transition in form and fabric from the housing developments to the open countryside;
 - c) Site boundaries should be suitably landscaped and mature trees and hedgerows retained;
 - d) Vehicular access from Portal Close only;
 - e) Provide sufficient vehicular parking on-site;
 - f) Not include opportunities for future vehicular access into adjacent fields;
 - g) Demonstrate that no harmful impact on the supply of local minerals;
 - h) Provide an adequate connection to the sewerage network;
 - i) Protect and enhance trees within the site;
 - j) New planting to be suitable for pollinating species;
 - k) Minimise hard surfaced areas and maximise the infiltration of water and reduce surface water run-off.

- 8.8 This residential development will deliver 17 new dwellings in West Ashling, therefore meeting and exceeding the SDNPA overall provision for approximately 16 net additional homes over the 2014-2033 period, as envisaged in policy SD26 of the SDLP (Supply of Homes). The proposal consists of 17 new dwellings, consequently, the principle, use and quantum of development is acceptable and meet policies SD25 and SD91 of the Local Plan.
- Layout and building design: impact on landscape character and views.
- 8.9 Policies SD4 and SD5 of the South Downs Local Plan require for any development proposal to adopt a landscape-led approach and respect the local character, through sensitive and high quality design that makes a positive contribution to the overall character of the area. Any proposal should also conserve and enhance landscape character.
- 8.10 The allocation site is rectangular and relatively flat, with residential development beyond the north and eastern boundaries. Whilst in principle it would seem relatively free of constraints to design a new layout, this area presents difficulties due to its edge of settlement location. Any layout and buildings should knit into the existing settlement while creating a new edge that remains characteristic of the area.
- 8.11 The layout comprises an arrival space which connects the new development with Heather Close to the north and Portal Close to the east. It functions as a shared space for vehicles and pedestrians, adding permeability across the three sites. The open space and landscape planting create a safe setting at this junction which would help to slow down vehicles and will also create a more attractive space where the three residential areas meet.
- 8.12 The design approach to movement is based on shared spaces for pedestrians, bicycles and vehicles across the site. The layout, and in particular the road radius and alignment at the arrival space, have been designed to reduce speed levels and create a safe and comfortable shared public realm. This space has been well designed, anticipating potential vehicle-pedestrian conflicts and, as confirmed by the Highways Authority, it would not result in safety concerns. The layout is functional, makes an efficient use of space and it is safe and accessible for drivers, cyclists and pedestrians, including those with less mobility, in the absence of changes of levels and pavements.
- 8.13 Parking areas are tucked away from the main public realm, but remain accessible and convenient for users. The two parking courts are well landscaped and, as required by the Landscape Officer, appropriate detailing and tree planting would be conditioned to ensure that these spaces are successful and can be comfortably used for residents for other activities beyond parking and trees have sufficient space to mature. Parking courts will benefit from natural surveillance, ensuring they remain safe.
- 8.14 The site also features an open green space that would serve as amenity space for residents. It will be well positioned as a transitional space between open countryside and the built-up areas to the north. It will also provide multiple functions, as it will deliver ecosystem services and sustainable drainage, whilst being the main amenity space of the site. Buildings address the open space and would overlook it, ensuring that this remains as a safe space for residents benefiting from natural surveillance. This open area maximises views from the site towards the field to the south.
- 8.15 Policy SD91 requires that any layout must not include opportunities for future vehicular access into adjacent fields. This has been a driver of the series of layout iterations since pre-application stage, as it was a requirement that had to be fulfilled whilst the layout should be coherent and led by settlement pattern. The proposed layout does not provide clear future accesses to other fields, although there is an opportunity at the western end of the shared road, which terminates by plots no. 12 and 13. This area is proposed to be landscaped with mature trees and with a footpath, furthermore plots no. 12 and 13 have been moved forward closer to the road, to narrow the gap between properties, partially obstructing further road extensions to the west. It is considered that, on balance, the layout complies the SD91 requirement. A condition has been attached to prevent access to the fields, ensuring that there is no interruption to the green infrastructure network neither and encroachment into the countryside.

- 8.16 Buildings are arranged addressing the countryside and the public realm rather than turning their back on it. Buildings and spaces are also well positioned maximising their orientation in relation to the sun path. Outbuildings and brick walls are set in a way that they frame spaces and provide privacy to gardens where they are closely located to the public realm. The use of buildings of a variety of sizes to frame spaces is another positive design principle found in West Ashling and incorporated in the layout.
- 8.17 Buildings are generally of traditional form and materials, while designed of a contemporary manner, where they incorporate simple lines and a modern approach to openings and projections. Materials would be controlled by condition to ensure that the final palette and finishes are of good quality and reflect local character.
- 8.18 Overall, the proposal has demonstrated a good understanding of the site and the wider area. It has taken positive cues from West Ashling to influence both layout and building design with special references from the historic edge of the village, while creating a high quality contemporary group of buildings.
- 8.19 Boundary treatments have been amended, replacing the initially proposed unsympathetic close boarded fencing with post and wire fencing and native hedges as the main boundary treatment. Where boundaries face public realm, these are a combination of green roofed outbuildings and facing brick walls, which better relate to the village's character.
- 8.20 Visually, the site is very well contained and no views can be achieved from nearby public vantage points. Consequently, this development proposal will preserve the visual integrity and scenic quality of the National Park, in line with policy SD6 of the Local Plan.
- 8.21 The proposed development creates a coherent identity for the site, it will be visually attractive and creates a sense of place, while respecting the existing character of West Ashling. The layout provides an adequate transition in form and fabric from the existing settlement and the open countryside, while creating new high quality homes. Consequently, the scheme is compliant with policies SD4 and SD5.

Affordable housing and housing mix

- 8.22 The proposal has been assessed against policies SD27 (Mix of Homes) and SD28 (Affordable Homes) of the Local Plan. Policy SD27 requires of a residential development of 17 new dwellings to comply with an open market housing mix with a predominance of 2 and 3 bedroom dwellings. The affordable housing mix should make provision for a higher amount of 1 and 2 bedroom dwellings. Policy SD28 requires for development proposals for 11 or more homes, a minimum of 50% of new homes created to be provided as affordable homes on-site, of which a minimum 75% to be of rented affordable tenure.
- 8.23 The table below illustrates the proposed market and affordable housing provision and mix of homes.

Proposed housing mix				
Size	Market mix	Affordable (Rented mix)	Affordable (Shared ownership)	Total
1 bed	0	4	0	4
2 bed	3	2	1	6
3 bed	5	1	1	7
Total	8 units - 47%	7 units – 78%	2 units – 22%	17 units
		9 units - 53%		

- 8.24 As shown above, the affordable housing provision goes slightly beyond the 50% and also complies with the tenure mix requirement, providing a 78% of affordable homes of rented tenure, exceeding the 75% requirement of rented tenure, which is the most affordable form of housing. The proposal therefore meets policy SD28.

- 8.25 The proposed distribution of affordable houses is acceptable as they are well integrated throughout the development and are indistinguishable in design and materials from the market housing. Dwellings are also designed to be flexible and internally adaptable, as well as accessible to meet the needs of people who are less mobile.
- 8.26 The Housing Enabling Officer supports the proposal given that the mix of market and affordable homes has been amended taking into consideration local need and policy SD28.
- 8.27 The Funtington Parish Council raised their preference for larger homes rather than 1 and 2 bed units, as they consider that larger homes better contribute to retain families in the village and the overall social stability. The Parish Council also felt that there is no demand for small units. Notwithstanding this, the Chichester District Housing Enabling Officer recommended a housing mix with a predominance of small and medium-sized units, as the housing register with local connection to Funtington Parish show a shortfall and demand for 1 bedroom units within the parish. An appropriate balance between local need and policy SD27 requirements have informed the currently proposed housing mix, which is considered acceptable.
- 8.28 As required and defined in the SDLP and Affordable Housing Supplementary Planning Document (SPD), occupancy conditions and local connection criteria will be part of a Section 106 legal agreement. Therefore, the proposal meets the requirements of Policy SD28 with regards to affordable housing contribution, subject to further details yet to be agreed.

Sustainable construction

- 8.29 The SDLP requires all new development to incorporate sustainable design features, as appropriate to the scale and type of development. Residential development should meet minimum sustainability credentials to meet requirements of Local Plan policies SD2 (Ecosystem Services) and SD48 (Climate Change and Sustainable Use of Resources). The recently adopted Sustainable Construction Supplementary Planning Document (SPD) expands on the requirements of the above policies and provides guidance on meeting the policy's aim to mitigate and adapt to climate change. Appendix 4 of the SPD specifies the sustainable construction requirements for a development of 10 homes and above, which apply to this planning application.
- 8.30 This application has been accompanied with an Energy and Sustainability Statement which sets out the measures assessed and to be incorporated in the design. Having reviewed the supporting information with the SDNPA Design Officer, measures are considered to meet the requirements of the SPD. Some of which are outlined below:
- 19% improvement of CO2 emissions through the energy efficiency of buildings;
 - A 20% CO2 offset through low or zero carbon technologies (PV panels);
 - 2 no. Passive Houses Certified (units 16 and 17);
 - Passive House principles applied to the remaining units;
 - Electric vehicle charging points available to all dwellings;
 - Compost bins, internal recycling bins.
 - No plastic windows, doors, fascias, and architectural details. Use of timber, metal, brick and clay tiles.
 - Low water use (up to 110 litres/person/day);
 - New green infrastructure, use of sustainable drainage systems, tree planting for climate regulation and 40 sq. metres of green roofs, amongst others.
- 8.31 The proposed layout and building design, as well as landscaping strategy, have demonstrated to meet the requirements of policies SD2, SD22 and SD48 of the Local Plan. Buildings are shown to use sustainable materials for construction, subject to details controlled by condition.
- 8.32 A pre-occupation condition is incorporated requiring the applicant to demonstrate that buildings have been completed as per approved details in terms of sustainability criteria as

per specifications noted on the Energy and Sustainability Statement. This will ensure full compliance with the Local Plan and Sustainable Construction SPD.

Ecology and biodiversity net gain

- 8.33 Policy SD9 (Biodiversity and Geodiversity) requires for development proposals to conserve and enhance biodiversity and, amongst other things, to identify and incorporate opportunities for net gains in biodiversity.
- 8.34 The site comprises long semi-improved grassland, scrub and hedges and trees along the boundaries. In terms of protected species, the Ecological Impact Assessment submitted with the application states that the site is considered to hold local importance for foraging and commuting bats. It is also likely that nesting birds and nocturnal wildlife such as hedgehogs and badgers use the site. The site is however unlikely to support other protected/notable species.
- 8.35 The County Ecologist's was consulted on this application and agreed with the results and recommendations of the ecological surveys submitted with the application. A series of conditions securing appropriate ecological mitigation and enhancements, including lighting details, have been recommended and incorporated into the list of conditions.
- 8.36 Whilst the mitigation and enhancement strategy is acceptable in principle, Policy SD9 of the Local Plan requires of proposals to identify and incorporate opportunities for net gains in biodiversity. The application has been accompanied with a Landscape and Habitat Management Plan which is supported by Biodiversity Metric Calculations, which audit the existing and proposed biodiversity on site as result of this development.
- 8.37 The metric assesses habitat plus two linear features (hedgerow and river). It would be expected for a net gain to be achieved in all relevant categories (habitat and hedgerow, as relevant ones in this case). On this basis, an overall net gain is not achieved here. Notwithstanding this, officers recognise the considerable increase in hedgerow units shown in the metric, which is of merit for the contribution to biodiversity on the site. This is also recognised by the County Ecologist's consultation response. Therefore, it is considered that the proposal has explored and incorporated reasonable opportunities for biodiversity net gain, which will be secured by condition.

Impact on internationally designated conservation sites

- 8.38 The Solent is internationally important for its wildlife and is subject to several European nature conservation designations¹. It has been identified that the proposed development could adversely affect European nature conservation designations of the Solent. One of the main potential impacts identified is the likely contribution of the development to the eutrophication of water in the Solent. This process occurs when a body of water becomes overly enriched with nutrients, which may result in oxygen depletion of the water and a subsequent adverse effect to species that depend on this habitat. Natural England guidance issued in 2019 outlines that it needs to achieve 'nitrate neutrality' in order to not have a likely significant adverse effect upon these protected areas.
- 8.39 The Nutrient Neutrality Assessment (NNA) undertaken in support of this application has calculated that the proposal will lead to an increase in nitrogen into the catchment that feeds the Solent Maritime SAC. This is due to the increase of domestic foul water (enriched with nutrients) into the wastewater system, which would eventually discharge into the Solent.
- 8.40 Natural England was consulted on this application and agreed that the increase in nutrients should be mitigated. An approach supported by Natural England to address this issue is the creation of new habitats that would absorb nitrates from the same stream/river catchment area that would otherwise flow into the Solent. This is the approach taken by the applicant and agreed with Natural England.

¹ Chichester & Langstone Harbours Special Protection Area (SPA), Chichester & Langstone Harbours Ramsar site, Solent Maritime Special Area of Conservation (SAC), Solent and Dorset Coast Potential SPA, Solent and Southampton Water SPA, Solent and Southampton Water Ramsar, Portsmouth Harbour SPA, Portsmouth Harbour Ramsar, Solent and Isle of Wight Lagoons SAC.

- 8.41 In this instance, the proposed scheme of mitigation consists of taking land off from agricultural use in a parcel of 0.70 hectares in West Stoke, 2km to the north east of the site, but within the same sub-catchment area as that of the application site. The scheme proposes to plant a woodland instead, which according to the NNA calculations, would absorb sufficient nitrates as to offset the nitrates produced by wastewater in the development. This would make the proposed development 'nutrient neutral'. This will be secured in a Section 106 legal agreement.
- 8.42 Recreational pressure on the Solent Maritime SAC and Chichester to Langstone Harbour SPA should also be given consideration. Given that the proposal will result in a net increase in residential accommodation of 17 homes, the proposal will result in an increased recreational disturbance in the above-mentioned sites. The District's Ecologist has advised on the measures in place to manage these potential impacts and have recommended to secure an appropriate financial contribution. Based on a development of 17 dwellings, the contribution sums a total of £9,205 which is secured in a Section 106 legal agreement.
- 8.43 The nutrient mitigation strategy and recreational pressure contribution are considered to be acceptable and in line with Natural England's guidelines. This proposal would locally mitigate the identified adverse effect on the internationally designated sites along the Solent, ensuring their integrity. The details of the nutrient mitigation scheme and the land associated to it would be secured in a planning obligation, in the form of a Section 106 legal agreement. Given the above, the proposal is compliant with policies SD9 (Biodiversity), SD10 (International Sites) and SD17 (Water Environment) of the Local Plan.

Green infrastructure and trees

- 8.44 Existing green infrastructure (GI) on site mainly comprises a mature line of trees along the western boundary and a dense group of shrubbery to the east. There is a copse a few metres to the south and a wider local GI network formed of tree lines and hedgerows, but these not well connected. There is a clear opportunity to improve the existing limited GI within the site and provide new GI that better connects existing habitats locally.
- 8.45 This proposal retains and protects the existing GI on site, and it proposes to add a new native hedgerow along the southern boundary, connecting existing GI network from east to west, resulting in a more joined-up grid. Other GI improvements include open amenity space and tree planting throughout the site along routes and the main open spaces. Whilst the house within plot 12 would be closely located to the tree along the western boundary, this will not encroach into the tree's root protection area. Suitable tree and hedge protection measures are controlled by condition to ensure their retention and protection during construction works.
- 8.46 It is worth to note that all key GI assets (existing and proposed) will fall outside of private gardens which would facilitate good management by a management company or similar and avoid encroachment of activities and domestic paraphernalia into GI. Access to green infrastructure spaces will be available to all residents for enjoyment and management, which will contribute to its long terms success.
- 8.47 It is therefore concluded that the proposed scheme is compliant with policies SD11 and SD45 of the SDLP as it will protect and enhance existing trees and green infrastructure on site and will provide new multifunctional linkages across the site, which will benefit wildlife, surface water drainage, climate regulation and residents' well-being.

Ecosystem services

- 8.48 Policy SD2 of the SDLP relates to ecosystem services and states that development proposals will be permitted where they have an overall positive impact on the ability of the natural environment to contribute goods and services. This is to be achieved through high quality design and delivering all opportunities to manage natural resources sustainably. Allocation Policy SD91 also emphasises the role of the development in contributing to ecosystem services, and it requires to particularly tackle the following: carbon storage, pollination, water quality and noise regulation.

- 8.49 The application's plans and supporting information set out a series of on-site and off-site actions that relate to the delivery of ecosystem services:
- The site makes an efficient use of the land, providing an appropriate amount of development, density and open spaces, sustainably using land resources. The development does not interfere with water bodies.
 - The GI and planting strategy is based on joining-up existing GI. As recommended by the Landscape Officer, the planting scheme is mostly dominated by native species, with only a small number of non-native species within private gardens and road verges are planted as meadows. Plant species are suitable for pollinating species.
 - In terms of water management, this residential scheme has demonstrated that dwellings will consume no more than 110 litres of water per person per day. It would also mitigate any impact of the development on water nutrients on the Solent by providing suitable mitigation achieving nutrient neutrality.
 - This area is not at risk of flooding, although the layout, landscaping and drainage strategy has been designed to facilitate a sustainable drainage system through infiltration.
 - Regarding sustainability criteria, there are several aspects that contribute to mitigation and adaptation to climate change such: EV charging points, deciduous trees across the site to regulate climate, minimal use of hard surfaces, avoidance of unsustainable construction materials such plastic windows and doors, green roofs, CO2 reduction through renewable energy and energy efficiency of buildings as well as passive house certification of two dwellings. The site would also contribute to the storage of CO2 through significant extent of soft landscaped areas with planting, and in particular the high number of trees proposed.
 - Although the development would lead to carbon emissions, it has also taken reasonable steps to store carbon through retention of trees and hedges and the use of timber and locally sourced materials, which have a lower carbon footprint.
 - In terms of soils, the proposal has demonstrated that it will make a sustainable use of the underlying gravel and sand on site and will not be a full mineral extraction.
 - In terms of reducing air pollution, the proposal will facilitate and promote the use of electric vehicles, as all dwellings will be fitted with an EV charge point. No significant noise is expected to result from this development.
 - The layout has been designed to provide access to residents and visitors to open spaces and pedestrian routes along the site, with good connectivity to neighbouring areas to the north and east. The site is also relatively well located on the edge of the settlement, distant from the road and addressing open countryside, which contributes to the tranquillity and well-being of residents.
- 8.50 Policy SD91 refers to specific ecosystem services which this site should deliver, mainly carbon storage, pollination, water quality and noise regulation. The proposal will positively contribute to these four services, as explained above.
- 8.51 Furthermore, the proposed nutrient mitigation scheme proposed in West Stoke would also deliver multiple benefits in terms of ecosystem services: carbon storage, sustainable surface water management and purification, good air quality, amongst others.
- 8.52 Although it is understood that the site currently is a green field that provides services to the ecosystem, the principle of new residential development is accepted and therefore some negative impacts to services would be expected from any form of development. Notwithstanding this, this proposal has demonstrated that reasonable opportunities have been incorporated to deliver positive impacts on the way that natural environment contribute goods and services. Therefore, this development proposal meets the requirements of Policy SD2 of the SDLP.

Highways, access and parking

- 8.53 The Highways Authority (WSCC) have not raised an objection to the proposal, which was supported by a Transport & Travel Plan and a Technical Note. WSCC are satisfied with respect to the access to the site via Southbrook Road and Portal Close, the proposed

transition to a shared surface on site and the pedestrian link with Heather Close. The road within the site will be privately owned and maintained, as is Portal Close. The proposal has demonstrated safe access and turning of vehicles, including large and heavy refuse and emergency ones.

- 8.54 A number of neighbours have raised safety concerns with the increase of vehicular movements and access at the junction with Southbrook Road, however, the Highways Authority has confirmed that access is safe, as it remains as currently safely used by residents at Portal Close, and the increased number of trips at the junction would not be severe and will be within its capacity.
- 8.55 Parking provision for dwellings is considered acceptable by WSCC, as it would amount a total of 36 parking spaces for 17 dwellings, meeting the WSCC minimum standards. This avoids any additional on-street parking in adjacent roads, which is a requirement of allocation policy SD91.
- 8.56 22 cycle parking spaces are proposed in secure and covered storage. Furthermore, all dwellings will count with electric vehicle charging points as required by policy SD22 and the Sustainable Construction SPD.
- 8.57 The proposal will not have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network. WSCC has suggested a series of standard conditions, which have been incorporated to this report. Overall, the design of the vehicular, cycle and pedestrian network is safe, inclusive and accessible. It protects and enhances highways safety and follow the principles set out in the 'Roads in the South Downs' guide. As a result, this application is consistent with highway and parking policies SD21 and SD22 of the Local Plan.

Archaeology and setting of the Conservation Area

- 8.58 The site does not fall within any area of especial archaeological interest and there is no record of anything having been discovered within or in the vicinity of the site. As stated by the CDC Archaeologist, West Ashling lies on an area of the coastal plain that should be expected to contain some evidence of human activity (late prehistoric and Roman), but the small size of the site makes this sort of presence less likely and there is little reason to oppose any development or to require significant mitigation.
- 8.59 Notwithstanding the above, there is the possibility that remains are found in the course of construction and therefore a condition has been included. The condition requests to inform the SDNPA should any remain suspected to be of archaeological interest be found and to record and publish the results of the excavation.
- 8.60 The West Ashling Conservation Area lies approximately 70 metres to the north and east of the site, but these areas are not read together as there are two 20th and 21st century housing developments between the site and the conservation area which obstruct any views from the site and vice versa. Although distant from the West Ashling Conservation Area, the proposed development positively responds to its architectural style and use of materials. It is considered that this development will not cause an impact to the conservation area and will positively respond to its setting and therefore preserves the character and appearance of this designated heritage asset.
- 8.61 Given the above, it is considered that the proposed development will not lead to harm any archaeological heritage asset and will preserve the nearby conservation area and its setting, therefore being compliant with policies SD15 (Conservation Areas) and SD16 (Archaeology) of the Local Plan.

Dark night skies and relative tranquillity

- 8.62 The application site is located within the Dark Night Skies Zone EI (a) 2km Buffer Zone of intrinsic rural darkness. This is also in an area of low to medium level of relative tranquillity as shown in the SDNP Tranquillity Study.
- 8.63 Policy SD7 (Relative Tranquillity) SDLP states that development proposals will only be permitted where they conserve and enhance the relative tranquillity of the National Park.

Whilst the site is within a low-medium tranquil area and the proposal would introduce new houses on a green field, the scheme would not necessarily lead to levels of visual and aural disruption to the settlement as to lead to a change to the existing low-medium tranquillity value.

- 8.64 Policy SD8 of the Local Plan relates to the conservation and enhancement of the intrinsic quality of the dark night skies, and the integrity of the Dark Sky Core. The existing site is undeveloped and does currently conserve the dark skies. It would be expected from any development to cause some degree of light pollution, therefore especial attention is given to any street/external lighting and the design of the houses and in terms of openings that could lead to internal light transmission.
- 8.65 The Lighting Statement submitted with the application adopts appropriate principles with regards to light pollution and acknowledges the sensitive edge of settlement location. In response to this, the proposal has omitted any street lighting. External lighting is limited to lights located at each dwelling's front entrance with motion sensors and time delay off. Buildings do not feature any roof openings (skylight, rooflight, etc.), avoiding upwards light transmission. Whilst buildings have been design with a combination of medium and large openings, these will be well-recessed from the line of the elevation, reducing upwards light transmission. Much of any residual internal lighting glow would be screened by vegetation. These principles are considered acceptable and a condition is attached to the planning permission to ensure that any external lighting would comply with the above-mentioned principles and the SNDP Dark Night Skies Technical Advice Note.
- 8.66 Given the above, no light pollution is expected as result of the proposed development. The proposal has demonstrated that the level of tranquillity and dark night skies will be conserved on site and therefore its compliance with Policies SD7 and SD8 of the Local Plan.

Surface and foul water drainage

- 8.67 Policy SD17 states that development proposals that affect groundwater and surface water, will be permitted provided that there is no adverse impact on the quality of the groundwater source. Policy SD50 (Sustainable Drainage Systems or 'SUDs') supports development proposals that ensure against the increase of surface water run-off, taking account of climate change.
- 8.68 The application site is located within the Environment Agency's Flood Risk Zone I (low risk), and there is no record of surface water flooding within the site. The surface water drainage strategy is based on on-site infiltration and has been informed by infiltration testing. It includes large extensions of porous surfaces allowing infiltration, soakaways, and a swale in the main open space. Furthermore, the significant use of vegetation and green roofs across the site help to slow down and reduce surface water run-off. This drainage strategy is supported by the Lead Local Flood Authority and the District's Drainage Engineer and have recommended that full details of the drainage scheme, its maintenance and management should be submitted to and approved by the SNDPA prior any development commences on site. This has been incorporated in a condition.
- 8.69 The proposal would deal with foul water by connecting to the exiting sewer network to the north west, being this the closest main sewer to the application site offering adequate capacity and eliminating risks of pollution of groundwater.
- 8.70 Drinking water will be supplied from the Portsmouth Water company network. Portsmouth Water has also commented on this application and raised no adverse comments from the ground water quality perspective as the site is located outside of a source protection zone of water supply sources.
- 8.71 The SDNPA is satisfied that the proposed development will conserve and enhance water quality and quantity and that the site will not increase surface water flood risk in the area through the provision of SUDs. Consequently, water will be managed sustainably, in accordance with policies SD17, SD49 and SD50 of the Local Plan.

Impact on amenity of local residents

- 8.72 The site is located in proximity to residential properties to the north and east – Heather Close and Portal Close respectively. No concerns have been raised by local residents to the proposed development in terms of impact to their living conditions, however the scheme is assessed against policy SD5 of the SDLP, which requires new development to have regard to avoiding harmful impact upon, or from, any surrounding uses and amenities.
- 8.73 Dwellings will be arranged in a manner that they face open countryside and the public realm, not directly addressing nearby neighbours. These units will be distant enough from neighbouring properties (15 to 30 metres approximately) and there is sufficient dense screening between the application site and Portal and Heather Close, which would avoid direct intrusive views from first floor level towards neighbours' rear gardens.
- 8.74 The residential development would not necessarily entail an increase in nuisance from activity and vehicles as to adversely affect residents, given that the scale and nature of the development is compatible with the neighbouring residential area. Vehicle speed at the access point would be slow, given the designed tight and shared layout, calming traffic within the site.
- 8.75 For the above reasons, the proposed development will avoid harmful impacts upon surrounding residents, in line with policy SD5 of the Local Plan.

Minerals

- 8.76 The site is located within a mineral safeguarded area of unconsolidated gravel, where development proposals will need to demonstrate that development can acceptably sterilise the site without significant harmful impact on the supply of local minerals, as required by allocation policy SD91.
- 8.77 A Mineral Resource Assessment Statement accompanies this planning application. This one confirms that the proposal will not be for mineral development, but that it could comprise incidental extraction and recovery of any sands and gravels encountered during excavation works required such preparatory excavation for housing, drainage and other infrastructure. This statement concludes that the development will not negatively impact on the environment and the local mineral resources and it has been reviewed by the SDNPA Planning Policy Team, who agree with this conclusion.
- 8.78 The proposal has been reviewed against policy M9 of the West Sussex Joint Minerals Local Plan (2018) and it is considered that the merits of the scheme and the SDLP allocation outweigh the need to safeguard the site for mineral extraction. A construction management plan condition controls the extraction and management of any sand and gravel from site. It is considered that although the proposed development will sterilise the site for mineral extraction, the site only constitutes a negligible are of the safeguarded area and an appropriate use of any incidental extraction is controlled by the SDNPA. Overall, the residential use of the site and its contribution to the implementation of the SDNP housing strategy outweighs the sterilisation of the site for mineral extraction.
- 8.79 This sustainable approach to the use of the underlying mineral is considered acceptable in principle and to meet the requirements of policy SD91 of the Local Plan and M9 of the West Sussex Joint Minerals Local Plan.

Other matters

- 8.80 The application site is well served with utilities such water supply, sewer, broadband, electricity and gas. Connection to these networks are considered feasible.
- 8.81 The scheme has been amended as per the Fire and Rescue Service and Chichester Waste Team's comments. The revised proposals include a fire hydrant to supply water for firefighting and bin collection points as required.

9. Conclusion

- 9.1 The proposals have positively addressed all matters raised by officers at pre-application and during the life of this application. It has also responded and adapted well to changes to policy

with the adoption of the South Downs Local Plan and the two adopted SPDs on affordable housing and sustainable construction.

- 9.2 Officers have taken into account that the proposal has explored multiple reasonable opportunities to provide a well-balanced mix and affordable homes in West Ashling. The proposal has demonstrated a good understanding of the landscape sensitivities of the area and positively responds to these, resulting in a residential development that would be of high quality design. Overall, officers are satisfied on the design, landscape and ecological implications of the proposal.
- 9.3 The proposed development is considered proportionate, appropriate to its location and landscape-led, it will deliver wider benefits to the National Park in line with the Local Plan and will appropriately mitigate any harm to internationally designated sites for nature conservation. It is considered that the application is consistent with allocation policy SD91 and the whole South Downs Local Plan 2014-2033. Therefore, it is recommended for approval subject to conditions and the completion of a Section 106 legal agreement.

10. Reason for Recommendation and Conditions

10.1 Planning permission is recommended to be granted subject to:

1. The completion of a Section 106 legal agreement, the final form of which is delegated to the Director of Planning, to secure the delivery of the following:
 - a) 9 affordable dwellings, 7 of which of rented tenure and 2 of shared ownership;
 - b) A financial contribution of £9,205 towards recreational disturbance mitigation on the Solent Maritime SAC and Chichester and Langstone Harbour SPA;
 - c) A full scheme of nutrient mitigation for the lifetime of the development (including maintenance and management) towards mitigation of additional nutrient load on the Solent European nature conservation designated sites.
2. The conditions as set out in paragraph 10.2 of this report.
3. That authority be delegated to the Director of Planning to refuse the application with appropriate reasons if:
 - a) The S106 Agreement is not completed or sufficient progress has not been made within 6 months of the 8th October 2020 Planning Committee meeting.

10.2 Proposed conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended)/ To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".
Reason: For the avoidance of doubt and in the interests of proper planning.
Construction works
3. No development shall take place, including any ground works or works of demolition, until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to in full throughout the entire construction period. The Plan shall provide details as appropriate but not be restricted to the following matters:
 - (i) the anticipated number, frequency and types of vehicles used during construction;
 - (ii) the method of access and egress and routeing of vehicles during construction;
 - (iii) the parking of vehicles by site operatives and visitors;
 - (iv) the loading and unloading of plant, materials and waste;
 - (v) the storage of plant and materials used in construction of the development;

- (vi) the erection and maintenance of security hoarding;
- (vii) effective vehicle wheel-cleaning facilities to be made available throughout construction;
- (viii) the provision and utilisation of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders);
- (ix) details of public engagement both prior to and during construction works;
- (x) temporary arrangements for access and turning for construction traffic for each part of the site; and
- (xi) an indicative programme for carrying out of the works;
- (xii) details of the arrangements for public engagement / consultation both prior to and continued liaison during the construction works;
- (xiii) protection of trees and hedgerows to be retained;
- (xiv) a sensitive lighting strategy during construction, in line with the measures detailed in section 3.0 of the submitted Lighting Assessment;
- (xv) measures to control the emission of dust and dirt during construction;
- (xvi) measures to mitigate noise, including vibration, during construction works.
- (xvii) a scheme for recycling / disposing of waste resulting from demolition and construction works, including extraction details and management of any extracted sand/gravel from site.

Reason: In the interests of highway safety and the amenities of the area and having regard to National Policy Guidance contained in the NPPF 2019. It is considered necessary for this to be a pre-commencement condition as these details relate to the construction of the development and thus go to the heart of the planning permission.

4. No construction activities shall take place, other than between 08:00 to 18:00 hours (Monday to Friday) and 08:00 to 13:00 hours (Saturday) with no construction or demolition on Sunday or Bank Holidays.

Reason: To protect the amenity of local residents.

Foul and surface water drainage

5. No development approved by this permission shall be commenced until full details of the proposed connection to the sewerage mains system have been submitted to and approved in writing by the Local Planning Authority. Thereafter all development shall be undertaken in accordance with the approved details and no occupation of any of the development shall be take place until the approved works have been completed. The foul drainage connection and system shall be retained as approved thereafter.

Reason: In order to secure a satisfactory standard of development that meets the requirements of Policy SD17 of the South Downs Local Plan 2014-2033. It is considered necessary for this to be a pre-commencement condition as these details relate to the construction of the development and thus go to the heart of the planning permission.

6. Development shall not commence, other than works of site survey and investigation, until the full details of the proposed surface water drainage scheme have been submitted to, and approved in writing by, the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems, as set out in Approved Document H of the Building Regulations and the SuDS Manual produced by CIRIA. Winter groundwater monitoring, to establish the highest annual ground water levels, and winter percolation testing, to BRE 365 or a similar approved method, will be required to support the design of any infiltration drainage. No building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details.

The scheme shall include full details of the maintenance and management of the SuDS. These details should be set out in a site-specific maintenance manual and submitted to,

and approved in writing, by the Local Planning Authority. The manual is to include details of financial management and arrangements for the replacement of major components at the end of the manufacturer's recommended design life. Upon completed construction of the SuDS System, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.

Reason: To ensure that the proposed development is satisfactorily drained, reduce surface water risk and improve water quality in accordance with Policies SD17, SD49 and SD50 SDLP. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

Hard and soft landscaping

7. Notwithstanding the details shown on the approved plans no development shall commence unless and until a detailed scheme of hard landscape works has been submitted to and approved in writing by the Local Planning Authority. All such works as may be approved shall then be fully implemented in accordance with the approved development. Once implemented they should be retained. The scheme design shall include the following details:
 - a) Details of existing trees and other vegetation to be retained in the scheme and methods/measures for the protection of trees during and after construction;
 - b) Layout of surfaces including materials, permeability, kerbs, edges, steps, retaining walls, ramps, and similar;
 - c) Schedule of surfacing materials (including upstands and demarcations), including the courtyards;
 - d) Street furniture including seating, signage, litter bins, cycle racks, tree grilles/surface treatment and guards;
 - e) Tree pits design, materials and size;
 - f) Boundary treatments details including gates and doors;
 - g) Any ancillary structures.

Reason: To ensure a satisfactory development and in the interests of amenity and landscape character. It is considered necessary for this to be a pre-commencement condition as these details relate to the construction of the development and thus go to the heart of the planning permission.

8. Notwithstanding the details shown on the approved plans no development above slab level shall commence unless and until a full detailed scheme of planting proposals have been submitted to and approved in writing by the Local Planning Authority. All such work as may be approved shall then be fully implemented in the first planting season, following commencement of the development hereby permitted and completed strictly in accordance with the approved details. Any plants or species which within a period of 5 years from the time of planting die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

The scheme design shall follow the principles of the submitted Landscape and Habitat Management Plan (18/08/2020 Rev A) and include the following details:

- a) Layout of planting to show plant species, nursery planting sizes, locations, densities and numbers;
- b) Tree pit designs for each size of tree planting proposed including guying/support method, tree pit size, details of backfill material, irrigation design, surface treatment according to location;
- c) Areas of grass & specification for seeding or turfing as appropriate;
- d) Written specification for soil amelioration including cultivations, planting methodology, establishment maintenance Operations proposed and existing

functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc. indicating lines, manholes, supports.);

- e) Any bunding or swales (including cross sections).

Reason: To ensure a satisfactory development and in the interests of amenity and landscape character.

9. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by the Local Planning Authority prior to occupation of the development. This LEMP should follow the principles and objectives of the approved landscaping and planting plans and the Landscape and Habitat Management Plan (18/08/2020 Rev A). Once approved, it shall then be fully implemented and followed throughout the life of the development unless otherwise agreed by the Local Planning Authority. The content of the LEMP shall include the following:

- a) description and evaluation of features to be managed;
- b) ecological trends and constraints on site that might influence management;
- c) aims and objectives of management;
- d) appropriate management options for achieving aims and objectives;
- e) prescriptions for management actions, together with a plan of management compartments;
- f) preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period;
- g) details of the body or organisation responsible for implementation of the plan;
- h) ongoing monitoring and remedial measures.

Reason: To ensure a satisfactory development and in the interests of amenity and landscape character and conserve and enhance the ecological standard.

Sustainable construction

10. Prior to the first occupation of the dwellings hereby permitted, detailed information in a post construction stage sustainable construction report in the form of:

- a) as built stage SAP data;
- b) as built stage BRE water calculator;
- c) product specifications;
- d) building design details;
- e) layout or landscape plans

demonstrating that the dwelling has:

- a) reduced predicted CO₂ emissions by at least 19% due to energy efficiency and;
- b) a further 20% due to on site renewable energy compared with the maximum allowed by building regulations;
- c) EV charge points;
- d) predicted water consumption no more than 110 litres/person/day;
- e) separate internal bin collection for recyclables;
- f) private garden compost bin

and evidence demonstrating

- a) sustainable drainage and adaptation to climate change;
- b) selection of sustainable materials;
- c) two dwellings certified as Passive Houses;
- d) compliance with the submitted and approved Energy and Sustainability Statement (24.08.2020)

shall be submitted to and approved in writing by the Local Planning Authority. The development shall be occupied in accordance with these agreed details and these details will hereafter be retained.

Reason: To ensure development demonstrates a high level of sustainable performance to address mitigation of and adaptation to predicted climate change, in compliance with policies SD2, SD22 and SD48 of the SDLP and the Sustainable Construction SPD.

Access and parking

11. No part of the development shall be first occupied until the car and cycle parking spaces have been constructed in accordance with the approved plans. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car and cycle parking space for the use.

12. No part of the development shall be first occupied until the electric vehicle charging spaces have been provided in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority.

Reason: To provide sustainable travel options in accordance with current sustainable transport policies and comply with policies SD22 and the Sustainable Construction SPD.

13. No vehicular/pedestrian access of any form shall be created through the western and southern boundaries of the site to open countryside without the written consent of the Local Planning Authority.

Reason: to avoid further encroachment into open countryside as well as a break in the proposed green infrastructure, in the interest of the protection of the landscape character, green infrastructure network and visual amenity.

External lighting

14. No development above slab level shall commence unless and until details of any external lighting of the site, are submitted to and approved in writing by the Local Planning Authority. These details shall include the predictions of both horizontal illuminance across the site and vertical illuminance affecting residential receptors. The lighting installation shall comply with the recommendations of the Institution of Lighting Professionals (ILP) "Guidance Notes for the Reduction of Obtrusive Light" (2011,) for zone EI(a) and the SDNPA "Dark Skies Technical Advice Note (2018)"

The approved installation shall be maintained and operated in accordance with the approved details unless variation is agreed in writing by the Local Planning Authority.

Reason: To protect the amenity of future residents, create an appropriate amenity space, protect wildlife, and conserve the landscape and dark night skies of the South Downs National Park, in accordance with National Park Purposes and the NPPF.

Materials and architectural details

15. No development above slab level shall commence unless and until a full schedule of all materials and finishes and samples of such materials and finishes to be used for external walls and roofs of the buildings have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved schedule of materials and finishes unless otherwise agreed in writing by the Local Planning Authority.

Reason: To enable the Local Planning Authority to control the development in detail in the interest of amenity and to ensure a development of visual quality.

16. No development above slab level shall commence unless and until the architectural details have been submitted to, and approved in writing by the local planning authority. The details shall include:

- a) Details of all eaves;
- b) Details of porches, projections and recesses;
- c) Windows (including glazing, head, sill and window reveal details and shutters/louvres, if applicable);
- d) Manufacturers' details of light transmittance of glazing;
- e) Doors and outbuildings doors;

- f) Outbuildings and sheds;
- g) Rainwater goods and harvesting;

Thereafter the works shall be carried out in full accordance with the approved details and the development shall be maintained as approved in perpetuity.

Reason: To ensure appropriate design and appearance in the interests of protecting the visual amenity/character of the development and surrounding area.

Ecology

17. Development shall proceed in complete accordance with the measures detailed in Section 5 “Further Surveys, Mitigation & Enhancements” of the submitted Ecological Impact Assessment report by Eclipse Ecology (21 August 2020, ref. PI 18.2.2). Any departure from this shall require the written consent of the SDNPA.

Reason: to ensure the protection of protected species on site and achieve biodiversity gains through the development in accordance with Policy SD9 of the SDLP. To ensure the safeguard of protected species in line with the Wildlife and Countryside Act 1981 (as amended).

Refuse and recycling bins

18. The development hereby permitted shall not be brought into use unless and until refuse and recycling storage and collection points have been constructed as per the approved drawings. The approved refuse and recycling storage facilities and collection points shall be retained thereafter.

Reason: To preserve the residential and visual amenities of the locality.

Fire hydrant

19. Prior to the first occupation of any dwelling, a fire hydrant should be installed on site as shown on approved plans, unless otherwise agreed in writing by the SDNPA, and arrange its connection to a water supply which is appropriate in terms of both pressure and volume for the purposes of firefighting.

The fire hydrant shall thereafter be maintained as part of the development by the water undertaker at the expense of the Fire and Rescue Service if adopted as part of the public mains supply (Fire Services Act 2004) or by the owner / occupier if the installation is retained as a private network.

Reason: In the interests of safety future residents’ safety.

Archaeology

20. The Local Planning Authority shall be informed in writing immediately of any items known or suspected to be of archaeological interest unearthed during the building operation and given a reasonable opportunity for an examination of the artefact and the site where it was found. Should the Local Planning Authority so decide, the developer shall make appropriate and satisfactory provision for the excavation and recording of remains, and subsequent publication of the results.

Reason: To assess the extent, nature and date of any archaeological deposits that might be present and the impact of the development upon these heritage assets, mitigate any effect of the works. To contribute to our understanding of our past by ensuring that opportunities are taken to capture evidence from the historic environment and to make this publicly available.

Removal of permitted development rights

21. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) no development falling within the following Classes of Schedule 2 of the Order shall be carried out without the prior written approval of the South Downs National Park Authority: Part 1 Classes A, B, C, D, E and F, and Part 2 Class A.

Reason: To ensure the appearance of the development is satisfactory in accordance with the purposes of the South Downs National Park.

22. Notwithstanding the provisions of Part 2, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification), no gates, fences, walls or other means of enclosure and no building as defined in Section 336 of the Town and Country Planning Act 1990 shall be erected at the site, unless permission is granted by the Local Planning Authority pursuant to an application for the purpose.

Reason: To enable the Local Planning Authority to regulate and control the development of land in the interest of the appearance of the development and to ensure that development is satisfactory in accordance with the purposes of the South Downs National Park.

Informatives

1. A formal application for connection to the public sewerage system is required in order to service this development. Please read the Southern Water New Connections Services Charging Arrangements documents which has been published and is available to read on our website via the following link:
<https://beta.southernwater.co.uk/infrastructure-charges>
2. The applicant is advised to contact the proprietor of Portal Close to obtain formal approval to carry out the site access works on to the private close. The applicant is advised that the erection of temporary directional signage should be agreed with the Local Traffic Engineer prior to any signage being installed. The applicant should be aware that a charge will be applied for this service.
3. The South Downs National Park Authority encourages the use of locally sourced materials to support local character and distinctiveness, and to reduce the costs both financially and environmentally of transporting materials long distances. The applicant is recommended to undertake a resource mapping exercise for materials, starting within a 5km radius of their site, and then 10km, 25km.

11. Crime and Disorder Implication

- 11.1 It is considered that the proposal does not raise any crime and disorder implications.

12. Human Rights Implications

- 12.1 This planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

13. Equality Act 2010

- 13.1 Due regard has been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010.

14. Proactive Working

- 14.1 In reaching this decision the Local Planning Authority has worked with the applicant in a positive and proactive way, in line with the NPPF. This has included the provision of extensive advice from the SDNPA Design, Landscape, Development Management Officers, the SDNPA Design Review Panel and the opportunity to provide additional information to overcome critical issues and the opportunity to amend the proposal to add additional value as identified by SDNPA Officers and consultees.

TIM SLANEY

Director of Planning

South Downs National Park Authority

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Appendices
SDNPA Consultees
Background Documents

I. Site Location Map

Legal Services

Planning application (documents, representations and consultation responses)

<https://planningpublicaccess.southdowns.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

South Downs Local Plan 2014-2033

https://www.southdowns.gov.uk/planning/south-downs-local-plan_2019/

National Planning Policy Framework (2019)

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

The South Downs National Park Partnership Management Plan (2020-2025)

<https://www.southdowns.gov.uk/national-park-authority/our-work/partnership-management-plan/>

English National Parks and the Broads: UK Government Vision and Circular (2010):

<https://www.gov.uk/government/publications/english-national-parks-and-the-broads-uk-government-vision-and-circular-2010>

South Downs Integrated Landscape Character Assessment (2011)

<https://www.southdowns.gov.uk/planning-policy/landscape-character-assessments/south-downs-integrated-landscape-character-assessment/south-downs-integrated-landscape-character-assessment-icla-2011/>

National Design Guide (2019)

<https://www.gov.uk/government/publications/national-design-guide>

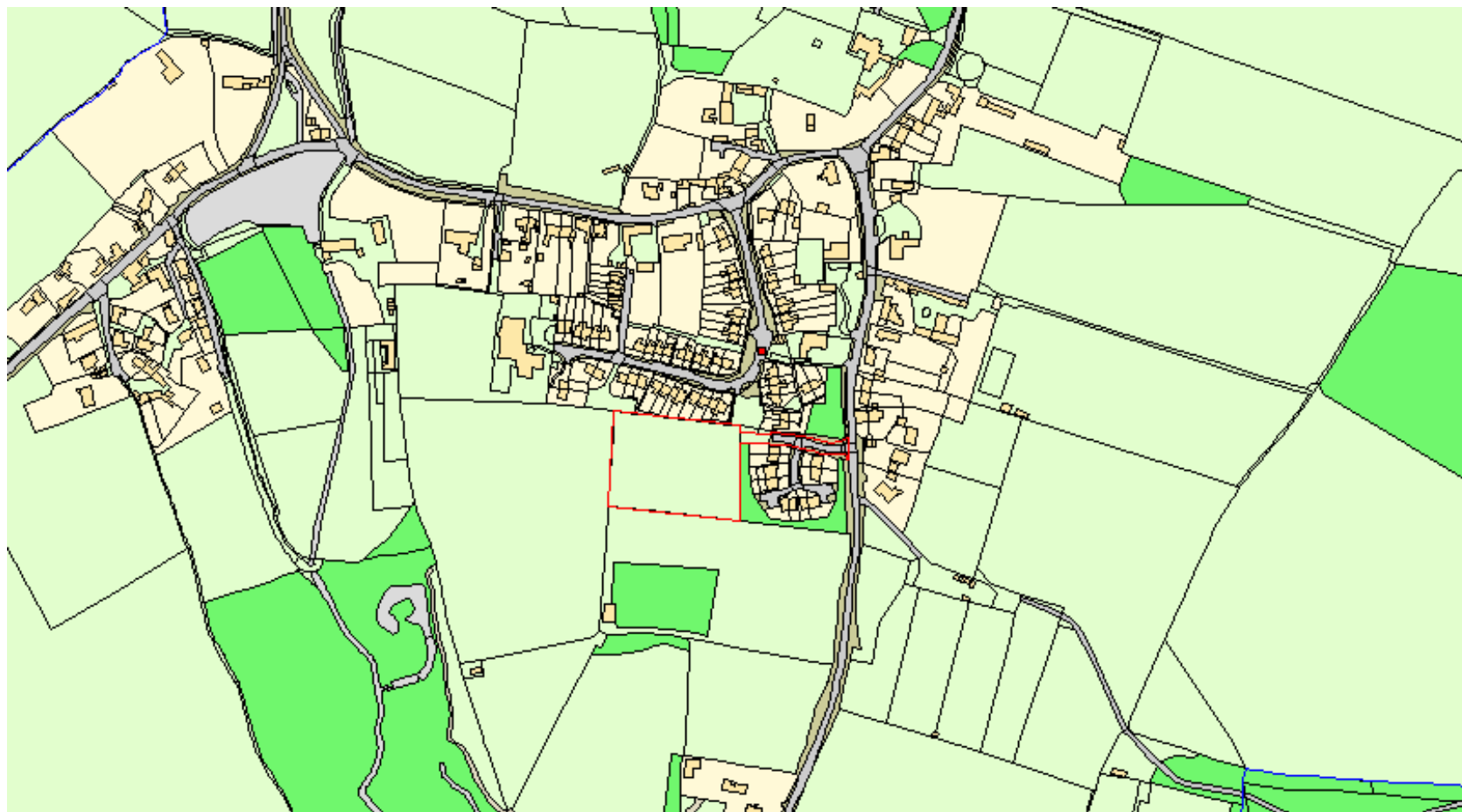
Affordable Housing SPD (2020)

<https://www.southdowns.gov.uk/planning-policy/supplementary-planning-documents/affordable-housing-spd/>

Sustainable Construction SPD (2020)

<https://www.southdowns.gov.uk/planning-policy/supplementary-planning-documents/sustainable-construction-supplementary-planning-document/>

Site Location Map



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